

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

SAMUEL CAPNORD

PLAINTIFF

v.

No. 4:08CV20-P-B

MILWAUKEE ELECTRIC TOOL CORP.

DEFENDANT

ORDER OF DISMISSAL

The court takes up, *sua sponte*, the dismissal of this cause. On April 9, 2008, the court entered an order denying the plaintiff's request to proceed *in forma pauperis* and requiring him to pay the filing fee on or before April 24, 2008. The order cautioned the plaintiff that failure to comply with the order would lead to dismissal of this case. Despite this warning, the plaintiff has failed to comply with the court's order, and the deadline for compliance passed on April 24, 2008. This case is therefore **DISMISSED** without prejudice for failure to prosecute and for failure to comply with an order of the court under FED. R. CIV. P. 41(b).

SO ORDERED, this the 6th day of May, 2008.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE